

Message Text

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72

ACTION IO-13

INFO OCT-01 EUR-25 ADP-00 L-03 GAC-01 ACDA-19 CIAE-00

DODE-00 PM-09 INR-10 NSAE-00 NASA-04 NSC-10 RSC-01

SCI-06 NSF-04 MC-02 AF-10 ARA-11 EA-11 NEA-10 OTP-02

EB-11 H-02 PA-03 PRS-01 SS-15 USIA-12 RSR-01 OMB-01

TRSE-00 /198 W

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R 202000 Z APR 73

FM USMISSION USUN NY

TO SECSTATE WASHDC 7618

INFO AMEMBASSY MOSCOW

AMEMBASSY OTTAWA

AMEMBASSY PARIS

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E. O. 11652 N/A

TAGS: TSPA, PFOR, UN, CAFR, UR

SUBJ: OUTER SPACE LEGAL: CONCLUDING STATEMENTS RE TOM
AND REG.

1. IN CONCLUDING STATEMENTS ON TOM MOST DELS CITED SCOPE, ADVANCE NOTIFICATION, AND NATURAL RESOURCES AS STILL REMAINING UNRESOLVED ISSUES. NATURAL RESOURCES ISSUE WAS SUBJECT OF WIDEST COMMENTS WITH MANY DELS(JAPAN, BULGARIA, BRAZIL, INDIA, AND HUNGARY) EXPRESSLY NOTING THAT CAPATORTI TEXT OF ARTICLE X WAS AN ACCEPTABLE COMPROMISE. BULGARIA ADDED THAT ALTHOUGH MANY DELS DID NOT SUBSCRIBE TO COMMON HERITAGE PRINCIPLE, THOSE INTERESTED IN THE PRINCIPLE WERE LOSING THE OPPORTUNITY WHICH WAS IN HAND TO SECURE RECOGNITION OF THIS CONCEPT THROUGH ITS INCORPORATION IN THIS TREATY. BULGARIA ALSO COMMENTED THAT IT DID NOT REGARD THE CAPATORTI TEXT AS IMPOSING A MORATORIUM AND THAT HAD THE MORATORIUM ISSUE NOT EMERGED, TREATY COULD HAVE BEEN COMPLETED. INDIA, ALONE AFFIRMED THAT UNACCEPTABILITY OF ANY TEXT THAT DID NOT

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PROVIDE FOR A MORATORIUM ON EXPLOITATION OF NATURAL
RESOURCES UNTIL THE ESTABLISHMENT OF AN INTERNATIONAL

REGIME.

2. CONCLUDING STATEMENTS ON REGISTRATION, REFLECTING GENERAL DISAPPOINTMENT OVER FAILURE TO CONCLUDE THE CONVENTION, FOCUSED ON THE TWO OUTSTANDING ISSUES OF MARKING AND REVIEW CLAUSE. FRANCE, CANADA, BRAZIL AND INDIA REGARD A MARKING PROVISION AS REQUISITE. SAME DELS WITH ADDITION OF HUNGARY CONSIDER A REVIEW CLAUSE AS A NECESSARY FEATURE. JAPAN ALONE CAUTIONED THAT WHILE MARKING WAS A GOOD IDEA THEORETICALLY, EFFECTIVE MARKING INVOLVED TECHNICAL AND ECONOMIC DIFFICULTIES.

3. MOST DELS (FRANCE, CANADA, BELGIUM, U. S. S. R., U. S., POLAND) EXPRESSED DESIRE TO MAKE EFFORT TO CONCLUDE BOTH TREATIES THIS JUNE IN PARENT OUTER SPACE COMMITTEE.

4. U. S. REITERATED POSITIONS ON EACH OF OUTSTANDING ISSUES BOTH IN TOM AND REGISTRATION COVENTION. PARTICULAR EMPHASIS PLACED ON UNACCEPTABILITY OF MORATORIUM ON EXPLOITATION OF NATURAL RESOURCES. WE ALSO MADE A LENGTHY JUSTIFICATION FOR OUR MODIFICATION IN FORMULATION OF SCOPE PROVISION TO INCLUDE PLANETS BY ENUMERATING THE CURRENT AND PLANNED MISSIONS TO OTHER PLANETS BESIDES THE MOON. ON REGISTRATION, WE PRAISED WORK ACCOMPLISHED AND EXPRESSED HOPE CONVENTION COULD BE PROMPTLY COMPLETED. WE ALSO REITERATED INFEASIBILITY OF MARKING AND UNWILLINGNESS TO ACCEPT A REVIEW CLAUSE. WE ALSO DREW ATTENTION TO NEED FOR EARLY RATIFICATION OF LIABILITY CONVENTION (AND, AT CONCLUDING MEETING 20 APRIL, WERE ABLE TO GET SUBCOMMITTEE TO AGREE TO CALL ATTENTION THIS IN ITS REPORT. DEL' S TEL ON CONCLUDING MEETING WILL BE TRANSMITTED 23 APRIL.).
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Disposition Authority: garlanwa
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
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